

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

May 7, 2001

LB 432, 620

SENATOR CHAMBERS: ...to take these blood tests, even though optional, in conjunction with mandatory tests, some people would feel like they are going to have to take these tests. But there is no reason to tell them it's a cholesterol test when it's obviously not to test for cholesterol based on them not giving the notices that they give you in terms of what not to eat. So I don't believe it's unreasonable whenever an issue comes before us that can be addressed to address it. And while we're talking about the conditions under which employees work, I think it should be appropriate on this bill, and any other one, to say there will be no genetic testing of employees.

SENATOR COORDSEN: Thank you, Senator Chambers. Senator Brown, please.

SENATOR BROWN: Mr. President, members of the Legislature, once again, I would like to say that I do not disagree with Senator Chambers that it should be the policy of the state that genetic testing is entered into at the discretion of the individual who would be tested. Nothing that was...that was mentioned in the article that Senator Chambers read led me to believe that...that individuals were not going to be able to choose whether or not to do the test. Now, did they have enough information, if there was going to be genetic testing done, and that's an issue that we can probably argue about, but if there was going to be enough...be testing done, did they have enough information on which to make a valid determination about whether they wanted to go through with it? No. But as far as I'm concerned, this just argues all the more for looking very carefully at AM1797 but definitely going forward with LB 432, which has the appropriate definitions about what genetic testing is, has the appropriate, in my estimation, requirements for how a person would be informed about what was going to happen to them, and the limitations on what a business could do with the information once it was received. And I think that there is a lot of difference between what...between the situation that was...that existed with Burlington Northern where without the individual's understanding, people who had filed a worker's compensation claim against the company, were being tested to find out if there was a genetic component to that. It was a fishing